IT IS THEREFORE ORDERED that Magistrate Judge Cam Ferenbach's Report and

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Recommendation (#122, entered January 14, 2012) is ACCEPTED and ADOPTED, Defendant's

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Motion to Dismiss Original Indictment (#81) is granted and the United States' Motion to Dismiss Original Indictment (#92) is denied. Dated: February 29, 2012. L. Hant ROGER L./HUNT U.S. District Judge